



Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
September 15, 2023

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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

CASH CLOUD, INC.,
dba COIN CLOUD,

Debtor.

Case No. BK-23-10423-mkn

Chapter 11

**ORDER GRANTING STIPULATION SETTING CERTAIN DEADLINES WITH RESPECT
TO VARIOUS PENDING MOTIONS**

Upon consideration of the *Stipulation Setting Certain Deadlines with Respect to Various Pending Motions* [ECF No 1219] (the “Stipulation”) by and among Enigma Securities Limited (“Enigma”), Cash Cloud, Inc. dba Coin Cloud (“Debtor”), debtor and debtor in possession in the above-captioned case (the “Chapter 11 Case”), the Official Committee of Unsecured Creditors (the “Committee”), Genesis Global Holdco, LLC (“Genesis”), and AVT Nevada, L.P. (“AVT” and, together with Enigma, the Debtor, the Committee, and Genesis, the “Parties”), and good cause appearing therefore:

IT IS HEREBY ORDERED that the Stipulation is approved in its entirety;

IT IS FURTHER ORDERED that the following deadlines shall apply with respect to the Evidentiary Hearing (as defined in the Stipulation):

Event	Date
Deadline for Parties to Exchange Lists of Witnesses and File Declarations Relating to Contested Matters	September 20, 2023
Deadline for Parties to Submit Joint Pre-Evidentiary Hearing Order	October 2, 2023
Deadline to file Pre-Evidentiary Hearing Motions	October 9, 2023
Evidentiary Hearing	October 16, 2023 (and, if necessary, October 17, 2023)

IT IS FURTHER ORDERED that pursuant to LR 9017, the alternate direct testimony procedure (as defined therein) shall apply to the Contested Matters; provided, that notwithstanding LR 9017(e), any witness that does not reside, is not employed, or does not regularly transact business in person within the District of Nevada shall be permitted to appear for cross-examination, rebuttal, and surrebuttal via videoconference.

IT IS FURTHER ORDERED that counsel shall be permitted to attend the Evidentiary Hearing (but not examine witnesses), via videoconference

1 **IT IS SO ORDERED.**

2 Prepared and respectfully submitted by:

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4 **SHEA LARSEN**

5 By: /s/ Kyle M. Wyant

6 James Patrick Shea, Esq.

7 Nevada Bar No. 405

8 Bart K. Larsen, Esq.

9 Nevada Bar No. 8538

10 Kyle M. Wyant, Esq.

11 Nevada Bar No. 14652

12 *Counsel for Enigma Securities Limited*

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EXHIBIT 1

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Attorneys for Enigma Securities Limited

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

CASH CLOUD, INC.,
dba COIN CLOUD,

Debtor.

Case No. BK-23-10423-mkn

Chapter 11

**STIPULATION SETTING CERTAIN
DEADLINES WITH RESPECT TO
VARIOUS PENDING MOTIONS**

Enigma Securities Limited (“Enigma”), by and through its counsel Morrison & Foerster LLP and Shea Larsen; Cash Cloud, Inc. dba Coin Cloud (“Debtor”), debtor and debtor in possession in the above-captioned case (the “Chapter 11 Case”), by and through its counsel Fox Rothschild LLP; the Official Committee of Unsecured Creditors (the “Committee”), by and through its counsel Seward & Kissel LLP and McDonald Carano LLP; Genesis Global Holdco, LLC (“Genesis”), by and through its counsel Cleary Gottlieb Steen & Hamilton LLP and Snell & Wilmer L.L.P.; and AVT Nevada, L.P. (“AVT” and, together with Enigma, the Debtor, the Committee, and Genesis, the “Parties”), by and through its counsel Michael Best & Friedrich LLP, stipulate and agree as follows (the “Stipulation”):

RECITALS

A. WHEREAS, on February 7, 2023, Debtor filed a voluntary petition under chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the District of Nevada (the “Court”), commencing the Chapter 11 Case;

B. WHEREAS, on July 18, 2023, Enigma filed its *Application for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. §§ 361, 362, 363, 364, 503, 507 and Bankruptcy Rules 3012 and 8002* [Docket No. 873] (the “Enigma Administrative Claim Motion”);

C. WHEREAS, on July 24, 2023, the Committee filed its *Motion of the Official Committee of Unsecured Creditors for an Order Granting Leave, Derivative Standing and Authority to Commence, Prosecute, and Settle Claims on Behalf of the Debtor’s Estate* [Docket No. 925] (the “Committee Standing Motion”);

D. WHEREAS, on July 24, 2023, the Debtor filed its *Motion for Entry of an Order Authorizing Debtor to Surcharge the Collateral of Genesis Global Holdco, LLC, Enigma Securities Limited, and AVT Nevada, L.P.* [Docket No. 926] (the “Surcharge Motion,” and along with the Enigma Administrative Claim Motion and the Committee Standing Motion, the “Contested Matters”);

E. WHEREAS, on July 26, 2023, Enigma filed Enigma Securities Limited’s Notice of Deposition of Debtor Cash Cloud Inc., dba Coin Cloud, Pursuant to FRCP 30(b)(6) [Docket No. 954];

F. WHEREAS, on July 31, 2023, Enigma served the Committee with Enigma Securities Limited’s First Set of Requests for Production to Official Committee of Unsecured Creditors (the

1 “Committee RFPs”);

2 G. WHEREAS, on August 1, 2023, the Debtor filed an objection to the Enigma
3 Administrative Claim [Docket No. 987];

4 H. WHEREAS, on August 4, 2023, Enigma filed the *Stipulation Regarding Scheduling*
5 *of Dates in Connection with Enigma’s Administrative Expense Claim [Docket No. 873], Committee’s*
6 *Standing Motion [Docket No. 925], and Debtor’s Surcharge Motion [Docket No. 926]* [Docket No.
7 1026] (the “Scheduling Stipulation”) setting various dates and deadlines in connection with the
8 Surcharge Motion, including the deadline to object to the Surcharge Motion (the “Objection
9 Deadline”) and the deadline to file replies in support of the Surcharge Motion (the “Reply Deadline”);

10 I. WHEREAS, on August 9, 2023, the Court entered an order approving the Scheduling
11 Stipulation [Docket No. 1056] (the “Scheduling Order”) and setting a deadline of (i) August 30, 2023
12 for the Objection Deadline and (ii) September 15, 2023 for the Reply Deadline;

13 J. WHEREAS, on August 24, 2023, the Parties entered into a stipulation [Docket No.
14 1123] to extend several deadlines contained in the Scheduling Order;

15 K. WHEREAS, the Court’s chambers has indicated that it has October 16, 2023 and, if
16 necessary, October 17, 2023 available to hold an evidentiary hearing (the “Evidentiary Hearing”) on
17 the Contested Matters;

18 L. WHEREAS, the Parties have conferred to certain deadlines in connection with the
19 Evidentiary Hearing, and wish to memorialize said deadlines by way of this Stipulation;

20 NOW, THEREFORE, the Parties hereby stipulate and agree to the following:

21 IT IS STIPULATED AND AGREED that:

22 1. The following dates/schedule shall apply with respect to the Evidentiary Hearing:

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Event	Date
Deadline for Parties to Exchange Lists of Witnesses and File Declarations Relating to Contested Matters	September 20, 2023
Deadline for Parties to Submit Joint Pre-Evidentiary Hearing Order	October 2, 2023
Deadline to file Pre-Evidentiary Hearing Motions	October 9, 2023
Evidentiary Hearing	October 16, 2023 (and, if necessary, October 17, 2023)

2. Pursuant to LR 9017, the Parties agree to the alternate direct testimony procedure (as defined therein) with respect to the Contested Matters; provided, that notwithstanding LR 9017(e), any witness that does not reside, is not employed, or does not regularly transact business in person within the District of Nevada shall be permitted to appear for cross-examination, rebuttal, and surrebuttal via videoconference.

3. Counsel shall be permitted to attend the Evidentiary Hearing (but not examine witnesses), via videoconference.

IT IS SO STIPULATED.

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1 Dated this 14th day of September 2023.

2 **FOX ROTHSCHILD LLP**

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5 Brett A. Axelrod, Esq.
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Counsel for Enigma Securities Limited

CERTIFICATE OF SERVICE

1. On September 14, 2023, I served **STIPULATION SETTING CERTAIN DEADLINES WITH RESPECT TO VARIOUS PENDING MOTIONS** in the following manner:

☒ a. ECF System: Under Administrative Order 02-1 (Rev. 8-31-04) of the United States Bankruptcy Court for the District of Nevada, the above-referenced document was electronically filed on the date hereof and served through the Notice of Electronic Filing automatically generated by the Court's facilities.

☐ b. United States mail, postage fully prepaid:

☐ c. Personal Service:

I personally delivered the document(s) to the persons at these addresses:

☐ For a party represented by an attorney, delivery was made by handing the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☐ d. By direct email (as opposed to through the ECF System): Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ e. By fax transmission:

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ f. By messenger:

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 14, 2023

By: Bart K. Larsen, Esq.

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